

1 I. NEEL CHATTERJEE (STATE BAR NO. 173985)  
nchatterjee@orrick.com  
2 MONTE M.F. COOPER (STATE BAR NO. 196746)  
mcooper@orrick.com  
3 THERESA A. SUTTON (STATE BAR NO. 211857)  
tsutton@orrick.com  
4 MORVARID METANAT (STATE BAR NO. 268228)  
mmetanat@orrick.com  
5 ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 Marsh Road  
6 Menlo Park, California 94025  
Telephone: 650-614-7400  
7 Facsimile: 650-614-7401

8 Attorneys for Plaintiff  
FACEBOOK, INC.  
9

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION  
13

14 FACEBOOK, INC.,

15 Plaintiff,

16 v.

17 POWER VENTURES, INC., a Cayman Island  
corporation; STEVE VACHANI, an individual;  
18 DOE 1, d/b/a POWER.COM, DOES 2-25,  
inclusive,

19 Defendants.  
20

Case No. 5:08-cv-05780 JW

**STIPULATION AND [PROPOSED]  
ORDER, PURSUANT TO CIVIL  
LOCAL RULE 6-2, FOR ORDER  
CHANGING TIME**

1 This stipulation and the accompanying Declaration of counsel is entered into by and  
2 between Plaintiff Facebook, Inc., on the one hand, and Defendants Power Ventures, Inc. and  
3 Steve Vachani ("Defendants"), on the other hand, through their respective counsel as follows:

4 WHEREAS, on February 16, 2012, the Court entered summary judgment of liability on  
5 behalf of Facebook and against Defendants on Facebook's claims for violations of the CAN-  
6 SPAM Act, the Computer Fraud and Abuse Act, and California Penal Code Section 502 (Dkt. No.  
7 275);

8 WHEREAS as part of the summary judgment Order, this Court further ordered the parties  
9 to file simultaneously supplemental briefs by March 2, 2012 addressing the individual liability of  
10 Defendant Vachani and the amount of damages to be awarded to Facebook (Dkt. No. 275, at 19);

11 WHEREAS, on March 7, 2012, Facebook deposed Power Ventures, but a final transcript  
12 is not yet available;

13 WHEREAS, the parties agree that, to ensure that the briefing schedule adequately  
14 addresses the issues remaining in this case, including the testimony of Power Ventures and other  
15 outstanding discovery issues, the deadline for supplemental briefing should be extended by two  
16 weeks;

17 NOW THEREFORE, subject to the approval of the Court, it is hereby stipulated and  
18 agreed that Facebook's and Defendants' deadline to file their supplemental briefs in response to  
19 this Court's February 16, 2012 Order Granting Facebook's Motions for Summary Judgment is  
20 extended until Friday, March 23, 2012.

21 ///

22 ///

23

24

25

26

27

28

1 Dated: March 8, 2012

ORRICK, HERRINGTON & SUTCLIFFE LLP

2  
3 By: /s/ Monte M.F. Cooper /s/

MONTE M.F. COOPER  
Attorneys for Plaintiff  
FACEBOOK, INC.

4  
5  
6 Dated: March 8, 2012

BURSOR & FISHER, P.A.

7  
8 By: /s/ L. Timothy Fisher /s/

L. TIMOTHY FISHER  
Attorneys for Defendants  
POWER VENTURES, INC.; STEVE  
VACHANI; and POWER.COM

9  
10  
11  
12  
13 **Filer's Attestation:** Pursuant to General Order No. 45, §X(B), I attest under penalty of  
14 perjury that concurrence in the filing of the document has been obtained from its signatory.

15 Dated: March 8, 2012

Respectfully submitted,

16 /s/ Monte Cooper

MONTE F. COOPER

17  
18  
19 PURSUANT TO STIPULATION, IT IS SO ORDERED:

20  
21 DATED: \_\_\_\_\_

\_\_\_\_\_  
JAMES WARE  
United States District Judge